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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA

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7 PAPA HULUWAZU,

Case No. 2:16-cv-00369-MMD-PAL

8 Plaintiff,

9 v.

**REPORT OF FINDINGS AND
RECOMMENDATION**

10 WILLIAM SNYDER, et al.,

11 Defendants.

12 This matter is before the court on Plaintiff Papa Huluwazu, Ed.D.'s failure to comply with
13 the court's Screening Order (ECF No. 2). This matter is referred to the undersigned pursuant to
14 28 U.S.C. § 636(b)(1)(B) and LR IB 1-4 of the Local Rules of Practice.

15 Plaintiff is proceeding in this action *pro se* and he submitted a complaint on February 23,
16 2016. *See* Compl. (ECF No. 3). The court issued a Screening Order (ECF No. 2) granting Plaintiff
17 permission to proceed *in forma pauperis* and screening the complaint pursuant to 28 U.S.C.
18 § 1915(e). The undersigned found that Plaintiff's complaint failed to allege personal and subject
19 matter jurisdiction over defendants and lacked proper venue. He was allowed until April 10, 2017,
20 to file an amended complaint. The Screening Order warned Plaintiff that a failure to file an
21 amended complaint addressing the deficiencies explained by the court would result in a
22 recommendation to the district judge that this case be dismissed. To date, Plaintiff has not filed
23 an amended complaint or requested an extension of time to do so.

24 On March 29, 2017, Plaintiff submitted a letter (ECF No. 4) to the court restating many of
25 the allegations in his initial complaint. Even if the court were to construe the letter as an amended
26 complaint, the letter did not address the deficiencies explained in the Screening Order.

27 Accordingly,

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1 **IT IS RECOMMENDED** that Plaintiff's Complaint (ECF No. 3) be DISMISSED without
2 prejudice.

3 **IT IS FURTHER RECOMMENDED** that the Clerk of the Court be instructed to close
4 the case and enter judgment accordingly.

5 Dated this 14th day of April, 2017.

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8 PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE

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10 **NOTICE**

11 This Report of Findings and Recommendation is submitted to the assigned district judge
12 pursuant to 28 U.S.C. § 636(b)(1) and is not immediately appealable to the Court of Appeals for
13 the Ninth Circuit. Any notice of appeal to the Ninth Circuit should not be filed until entry of the
14 district court's judgment. *See* Fed. R. App. Pro. 4(a)(1). Pursuant to LR IB 3-2(a) of the Local
15 Rules of Practice, any party wishing to object to a magistrate judge's findings and
16 recommendations of shall file and serve *specific written objections*, together with points and
17 authorities in support of those objections, within 14 days of the date of service. *See also* 28 U.S.C.
18 § 636(b)(1); Fed. R. Civ. Pro. 6, 72. The document should be captioned "Objections to Magistrate
19 Judge's Report of Findings and Recommendation," and it is subject to the page limitations found
20 in LR 7-3(b). The parties are advised that failure to file objections within the specified time may
21 result in the district court's acceptance of this Report of Findings and Recommendation without
22 further review. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). In addition,
23 failure to file timely objections to any factual determinations by a magistrate judge may be
24 considered a waiver of a party's right to appellate review of the findings of fact in an order or
25 judgment entered pursuant to the recommendation. *See Martinez v. Ylst*, 951 F.2d 1153, 1156 (9th
26 Cir. 1991); Fed. R. Civ. Pro. 72.